

## HB 2122 - DIGEST

Provides that a domestic violence advocate may not, without the consent of the victim, be examined as to any communication made by the victim to the domestic violence advocate.

Declares that for purposes of this act, "domestic violence advocate" means the employee or volunteer from a domestic violence shelter, victim assistance unit, program, or association, that provides information, medical or legal advocacy, counseling, or support to victims of domestic violence, who is designated by the victim to accompany the victim to proceedings concerning the alleged acts of domestic violence, including police and prosecution interviews, court proceedings, and to the hospital or other health care facility.

Provides that a domestic violence advocate may disclose a confidential communication without the consent of the victim if failure to disclose is likely to result in a clear, imminent risk of serious physical injury or death of the victim or another person. Any domestic violence advocate participating in good faith in the disclosing of records and communications under this act is immune from any liability, civil, criminal, or otherwise, that might result from the action. In any proceeding, civil or criminal, arising out of a disclosure under this act, the good faith of the domestic violence advocate who disclosed the confidential communication shall be presumed.

Provides that except as authorized in this act, a domestic violence program, an individual who assists a domestic violence program in the delivery of services, or an agent, employee, or volunteer of a domestic violence program may not disclose information about a recipient of shelter, advocacy, or counseling services without the informed authorization of the recipient. In the case of an unemancipated minor, the minor and the parent or guardian must provide the authorization.

Requires the secretary to adopt rules to establish procedures to protect the confidentiality and prevent the disclosure of information that may impair the safety of past and current victims of domestic violence and stalking. At a minimum, the rules shall address the sharing of information among state agencies and other partners and modifying or improving existing data bases to protect from unauthorized information sharing and disclosure.